IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

MONDAY, THE 2ND APRIL 2007 / 12TH CHAITHRA 1929

Bail Appl..No. 1765 of 2007()

C.R.No.3/07 of Chittoor Excise Range

: PETITIONER/ACCUSED

SUNIL KUMAR, AGED 42 YEARS,
S/O PAVITHRAN, HOUSE NO.22/981,
NIRARTHIL HOUSE, EDAKOCHI-6.

BY ADV. SRI.KRISHNADAS P. NAIR
SRI.HARIDAS P.NAIR
SMT.K.L.SREEKALA
SRI.M.A.VINOD
SRI.M.RAJESH KUMAR

RESPONDENTS:

STATE OF KERALA, REPRESENTED BY THE
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 02/04/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

B.A. No. 1765 OF 2007 A

Dated this the 2nd day of April, 2007

O R D E R

Petitioner, who is the 3rd accused in C.R.No.3/07 of Chittoor Excise Range for an offence punishable under Sec.55(a) of the Abkari Act for allegedly transporting 8192 liters of rectified spirit in 256 cans on 22.2.2007, seeks anticipatory bail.

2. Learned Public Prosecutor opposed the application.

3. Anticipatory bail cannot be granted in a case of this nature. There is no reason why the petitioner should not surrender before the Magistrate having jurisdiction and seek regular bail. Accordingly, if the petitioner surrenders before the Magistrate concerned and files an application for regular bail, within two weeks from today, the same shall be considered and disposed of, preferably on the same date on which it is filed, bearing in mind the decision of this court reported in ***Sukumari Vs. State of Kerala*** [2001 (1) KLT 22].

This application is disposed of as above.

(V. RAMKUMAR, JUDGE)

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